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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,261	08/21/2003	Frank Liebenow	P1947US00	9525

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EXAMINER	
PRABHAKHER, PRITHAM DAVID	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 12/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/646,261	LIEBENOW, FRANK	
	Examiner	Art Unit	
	Pritham Prabhakher	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *08/21/2003 and 06/14/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-20, 23-31 and 34-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Niikawa et al. (US Pub. No.: 2002/0171747A1).

*Regarding **Claim 14**, the Niikawa et al. reference teaches of a digital camera user interface (See Figure 8) comprising:*

*means for assigning at least one shortcut (flash, shooting, image quality, resolution etc... in **Table 2 on Page 5 under Item and Figures 12-15B)** to a unique set of operational parameters (The different parameters (choices) are shown in Table 2 on Page 5 to the right of the Item column next to each format/item selection and under the column named Choices) of the digital camera; and*

*means for permitting a user to select the at least one shortcut (The different format (item) selections can be made by moving the crossed switch 35 up and down, **Paragraph 0109)**.*

*With regard to **Claim 15**, the reference teaches of a user interface in accordance with claim 14, wherein the operational parameters (choices) comprise resolution and compression level (Table 2 on Page 5 shows that the parameters (choices) for compression levels are under the item image quality, and the choices for the different resolutions are listed right below it, **Paragraph 0112**).*

*In regard to **Claim 16,** the reference teaches of a user interface in accordance with claim 15, wherein the at least one shortcut comprises at least two shortcuts, the set of parameters of a first shortcut including a higher resolution setting than that of the set of parameters of a second shortcut (The set of parameters of a first shortcut selection includes a higher resolution setting than the set of parameters of a second shortcut selection if the first shortcut section (image quality) had it's parameter set on Fine and a second shortcut section (resolution) was set to 1024 x 768. The Fine image quality has a resolution of 1600 x 1200, which is higher than 1024 x 768 , **Table 2 Page 5 of Niikawa et al.**).*

*With regard to **Claim 17**, the reference teaches of a user interface in accordance with claim 15, wherein the at least one shortcut comprises at least two shortcuts, the set of parameters of a first shortcut including a higher compression setting than that of the set of parameters of a second shortcut (The set of parameters of a first shortcut selection includes a higher resolution setting than the set of parameters of a second shortcut selection if the first shortcut section (image quality) had it's parameter set on Fine and a second shortcut section (resolution) was set to 1024 x 768. The Fine image*

quality has a higher compression setting than the 1024 x 768 resolution, which corresponds to the uncompressed image quality, ***Table 2 Page 5 of Niikawa et al.)****.*

Regarding ***Claim 18****, the reference teaches of a user interface in accordance with claim 14, further comprising:*

means for changing at least one parameter of a set of parameters of at least one shortcut (The setting of the choices (parameters) can be changed/modified, ***Paragraph 0110)****.*

In regard to ***Claim 19****, the reference teaches of a user interface in accordance with claim 14, further comprising:*

means for changing the settings of the digital camera to include the set of operational parameters (Pressing the menu button 34 on the digital camera provides a means for changing the settings by bringing up the set of operational parameters on the LCD display screen, ***Paragraphs 0100-0101)****.*

With regard to ***Claim 20****, the reference teaches of a user interface in accordance with claim 14, wherein the means for permitting further comprises:*

means for bypassing the at least one shortcut (A shortcut (item) can be bypassed by moving up or down over the unwanted shortcut using the crossed switch 35, ***Paragraph 0109)****; and*

means for permitting a user to directly select camera operational parameters (The choices can be made in association with the item/format selection by scrolling down to the respective item and pressing the R button on the crossed switch 35. This brings up a set of parameters associated with each format selection, ***Paragraph 0110).***

*Regarding **Claim 23,** the reference teaches of a user interface in accordance with claim 14, further comprising means for assigning the parameters associated with a shortcut to default values (Looking at Table 2 on Page 5 it is evident that default values are assigned to the choices associated with each item).*

*In regard to **Claim 24**, Niikawa et al. teach of a user interface in accordance with claim 14, wherein at least one parameter of the set of parameters is selected from the group consisting of height resolution, width resolution, total resolution, compression level, color depth, stereoscopic toggle, black/white-color toggle, black/white greyscale level, and combinations thereof (Figures 13A to 15B which show camera status selection screens show's that the resolution is selected (in this case to be 1600 x 1200)).*

*In regard to **claim 25**, Niikawa et al. teach of a digital camera user interface comprising:*

*logic configured to assign at least one shortcut (flash, shooting, image quality, resolution etc... in **Table 2 on Page 5 under Item and Figures 12-15B)** to a unique set of operational parameters (The different parameters (choices) are shown in Table 2 on Page 5 to the right of the Item column next to each format/item selection and under the column named Choices) of the digital camera; and*

*logic configured to permit a user to select the at least one shortcut (The different format (item) selections can be made by moving the crossed switch 35 up and down, **Paragraph 0109)**.*

It is inherent that there is logic present in the camera to permit the user to select a list of choices (parameters) from the items (shortcuts).

*Regarding **Claim 26**, the Niikawa et al. reference teaches of a user interface in accordance with claim 25, wherein the operational parameters comprise resolution and compression level (Table 2 on Page 5 shows that the parameters (choices) for compression levels are under the item image quality, and the choices for the different resolutions are listed right below it, **Paragraph 0112)**.*

*With regard to **Claim 27**, the reference teaches of a user interface in accordance with claim 26, wherein the at least one shortcut comprises at least two shortcuts, the set of parameters of a first shortcut including a higher resolution setting than that of the set of parameters of a second shortcut (The set of parameters of a first shortcut selection includes a higher resolution setting than the set of parameters of a second shortcut selection if the first shortcut section (image quality) had it's parameter set on Fine and a second shortcut section (resolution) was set to 1024 x 768. The Fine image quality has a resolution of 1600 x 1200, which is higher than 1024 x 768 , **Table 2 Page 5 of Niikawa et al.)**.*

*In regard to **Claim 28**, the reference teaches of a user interface in accordance with claim 26, wherein the at least one shortcut comprises at least two shortcuts, the set of parameters of a first shortcut including a higher compression setting than that of the set of parameters of a second shortcut (The set of parameters of a first shortcut selection includes a higher resolution setting than the set of parameters of a second shortcut selection if the first shortcut section (image quality) had it's parameter set on*

Fine and a second shortcut section (resolution) was set to 1024 x 768. The Fine image quality has a higher compression setting than the 1024 x 768 resolution, which corresponds to the uncompressed image quality, ***Table 2 Page 5 of Niikawa et al.)****.*

In regard to ***Claim 29****, the reference teaches of a user interface in accordance with claim 25, further comprising:*

logic (inherently present) configured to change at least one parameter of a set of parameters of at least one shortcut (The setting of the choices (parameters) can be changed/modified, ***Paragraph 0110)****.*

With regard to ***Claim 30****, the reference teaches of a user interface in accordance with claim 29, further comprising:*

logic (inherently present) configured to change the settings of the digital camera to include the set of operational parameters (Pressing the menu button 34 on the digital camera provides a means for changing the settings by bringing up the set of operational parameters on the LCD display screen, ***Paragraphs 0100-0101)****.*

In regard to ***Claim 31****, the reference teaches of a user interface in accordance with claim 25, wherein the logic configured to permit further comprises:*

logic (inherently present) configured to bypass the at least one shortcut (A shortcut (item) can be bypassed by moving up or down over the unwanted shortcut using the crossed switch 35, ***Paragraph 0109)****; and*

logic (inherently present) configured to permit a user to directly select camera operational parameters (The choices can be made in association with the item/format selection by scrolling down to the respective item and pressing the R button on the

crossed switch 35. This brings up a set of parameters associated with each format selection, ***Paragraph 0110).***

Regarding ***Claim 34****, the reference teaches of a user interface in accordance with claim 25, further comprising logic (inherently present) configured to assign the parameters associated with a shortcut to default values (Looking at Table 2 on Page 5 it is evident that default values are assigned to the choices associated with each item).*

With regard to ***Claim 35****, the reference teaches of a user interface in accordance with claim 25, wherein at least one parameter of the set of parameters is selected from the group consisting of height resolution, width resolution, total resolution, compression level, color depth, stereoscopic toggle, black/white-color toggle, black/white greyscale level, and combinations thereof (Figures 13A to 15B which show camera status selection screens show's that the resolution is selected (in this case to be 1600 x 1200)).*

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa et al. (US Pub No.: 2002/0171747A1) and further in view of Kawamura et al. (US Patent No.: 7092024B2)

*Regarding **Claim 1,** Niikawa et al. teach of a method of configuring a digital camera capable of capturing an image (The image capturing section 3 includes an image capturing circuit 302, **Paragraph 0032**), the method comprising:*

*providing more than one format selection (flash, shooting, image quality, resolution etc... in **Table 2 on Page 5 under Item and Figures 12-15B**) to be used in capturing the digital image, each format selection corresponding to a unique set of parameters (The different parameters (choices) are shown in Table 2 on **Page 5** to the right of the Item column next to each format/item selection and under the column named Choices) for the capture of the digital image;*

*selecting one format selection (The different format (item) selections can be made by moving the crossed switch 35 up and down, **Paragraph 0109**); and*

*retrieving a set of parameters (choices) associated with the format selection (The choices can be made in association with the item/format selection by scrolling down to the respective item and pressing the R button on the crossed switch 35. This brings up a set of parameters associated with each format selection, **Paragraph 0110**).*

*However, Niikawa et al. do not specifically teach of selecting the formats and parameters before capturing the digital image. Kawamura et al. teach of changing the settings before capturing the image (See **Figure 10** in Kawamura et al.). It would have*

been obvious to one of ordinary skill in the art at the time of the invention to incorporate into Niikawa et al. the ability to change the settings of the parameters associated with the various formats before capturing an image, because this would have given the user more control in capturing an image to fit a required need.

With regard to ***Claim 2****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, further comprising:*

setting the operational parameters of the camera to the retrieved set of parameters (The choices can be made in association with the item/format selection by scrolling down to the respective item and pressing the R button on the crossed switch 35. This brings up a set of parameters associated with each format selection, ***Paragraph 0110 of Niikawa et al.***

Although Niikawa et al. do not specifically teach of selecting the formats and parameters before capturing the digital image, Kawamura et al. teach of changing the settings before capturing the image (See ***Figure 10*** *in Kawamura et al.). Therefore, the operational parameters are set to (equal to) the retrieved set of parameters. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into Niikawa et al. the ability to change the settings of the parameters associated with the various formats before capturing an image, because this would have given the user more control in capturing an image to fit a required need).*

Regarding ***Claim 3****, the references of Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 2, further comprising:*

capturing the digital image using said set of parameters

(The choices can be made in association with the item/format selection by scrolling down to the respective item and pressing the R button on the crossed switch 35. This brings up a set of parameters associated with each format selection, ***Paragraph 0110 of Niikawa et al.***

Although Niikawa et al. do not specifically teach of selecting the formats and parameters before capturing the digital image, Kawamura et al. teach of changing the settings before capturing the image (See ***Figure 10*** *in Kawamura et al.). Therefore, the operational parameters are set to (equal to) the retrieved set of parameters and the digital image is captured using these set of parameters. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into Niikawa et al. the ability to change the settings of the parameters associated with the various formats before capturing an image, because this would have given the user more control in capturing an image to fit a required need).*

With regard to ***Claim 4****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, wherein the set of parameters comprises resolution and compression level (Table 2 on Page 5 shows that the parameters (choices) for compression levels are under the item image quality, and the choices for the different resolutions are listed right below it,* ***Paragraph 0112).***

Regarding ***Claim 5****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 4, wherein providing comprises providing at least two format selections. The set of parameters of a first format selection includes a higher resolution*

setting than the set of parameters of a second format selection if the first format section (image quality) had it's parameter set on Fine and a second format section (resolution) was set to 1024 x 768. The Fine image quality has a resolution of 1600 x 1200, which is higher than 1024 x 768 ***(Table 2 Page 5 of Niikawa et al.)***.

In regard to ***Claim 6****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 4, wherein providing comprises providing at least two format selections. The set of parameters of a first format selection includes a higher resolution setting than the set of parameters of a second format selection if the first format section (image quality) had it's parameter set on Fine and a second format section (resolution) was set to 1024 x 768. The Fine image quality has a higher compression setting than the 1024 x 768 resolution, which corresponds to the uncompressed image quality* ***(Table 2 Page 5 of Niikawa et al.)***.

With regard to ***Claim 7,*** *Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, wherein at least one parameter of the set of parameters is selected from the group consisting of height resolution, width resolution, total resolution, compression level, color depth, stereoscopic toggle, black/white-color toggle, black/white greyscale level, and combinations thereof* ***(****Figures 13A to 15B which show camera status selection screens show's that the resolution is selected (in this case to be 1600 x 1200)****)***.

Regarding ***Claim 8****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, wherein the set of parameters consists of resolution and*

compression level (Table 2 on Page 5 shows that the parameters (choices) for compression levels are under the item image quality, and the choices for the different resolutions are listed right below it, ***Paragraph 0112)****.*

In regard to ***Claim 9****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, further comprising:*

assigning a unique name to each of the format selections (Looking at Table 2 on Page 5 it is shown that unique names are assigned to each of the format (item) selections).

Regarding ***Claim 10,*** *Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, further comprising:*

assigning a unique icon to each of the format selections (Underline L1 acts as an icon that can be assigned to each of the format selections, ***See Figures 13A through 15B)****.*

In regard to ***Claim 11,*** *Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, further comprising:*

assigning the parameters (choices) associated with a format (item) selection to default values (Looking at Table 2 on Page 5 it is evident that default values are assigned to the choices associated with each item).

With regard to ***Claim 12****, Niikawa et al. and Kawamura et al. teach of a method in accordance with claim 1, further comprising:*

modifying at least one parameter of a set of parameters associated with a format selection (The setting of the choices (parameters) can be changed/modified,

*(**Paragraph 0110)** by using the cross key pad 35 to scroll up or down and change the parameters associated with the item selections).*

Claims 13,21-22 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa et al. (US Pub No.: 2002/0171747A1), Kawamura et al. (US Patent No.: 7092024B2) as applied to claims 1,14, and 25 above, and further in view of Terane et al. (US Patent No.: 6734909B1).

*In regard to **Claims 13,21-22 and 32-33,** Niikawa et al. and Kawamura et al. do not explicitly teach of generating a new format selection/shortcut while assigning operational parameters to the set shortcut. Although, the inventions do disclose generating a thumbnail 10f that is displayed at the same time as the setting information 10g (See Figure 8 of Niikawa et al.), they do not teach that the thumbnail can be used as a shortcut/new format selection that includes an associated set of parameters. Terane et al. teach of generating a thumbnail image and selecting the desired thumbnail image to display a full image, **Column 2, Lines 35-38 of Terane et al**. The thumbnail has associated parameters such as a default size that is one ninth the regular image captured, **Column 5, Lines 4-12 of Terane et al**. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into Niikawa et al. and Kawamura et al. a thumbnail that represented a new format selection with a set of*

associated parameters because a thumbnail usually represents the users preferred image and can give the user a quick means of accessing it.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pritham Prabhakher whose telephone number is 571-270-1128. The examiner can normally be reached on M-F (7:30-5:00) Alt Friday's Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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